

## The Times-Dispatch

Published Daily and Weekly

At No. 4 North Tenth Street, Richmond, Va. Entered January 27, 1903, at Richmond, Va., as second-class matter, under Act of Congress of March 3, 1879.

The DAILY TIMES-DISPATCH is sold at 2 cents a copy.

The SUNDAY TIMES-DISPATCH is sold at 5 cents a copy.

The DAILY TIMES-DISPATCH by mail—50 cents a month; \$5.00 a year; \$2.50 for six months; \$1.30 for three months.

The SUNDAY TIMES-DISPATCH by mail \$2.00 a year.

The DAILY TIMES-DISPATCH, including Sunday, in Richmond and Manchester, by carrier, 12 cents per week or 50 cents per month.

The SUNDAY TIMES-DISPATCH, by carrier, 5 cents per week.

The WEEKLY TIMES-DISPATCH, \$1.00 a year.

All Unsubscribed Communications will be returned.

Rejected Communications will not be returned unless accompanied by stamps.

Uptown Office at T. A. Miller's, No. 319 East Broad Street.

FRIDAY, OCTOBER 2, 1903.

## THE BANKS OF RICHMOND.

The announcement of the financial embarrassment of Messrs. J. W. Mendenhall and Company, of Baltimore, and Messrs. John L. Williams and Sons, of Richmond, will be received in this community and throughout the South with universal regret. Both concerns have shown commendable enterprise and public spirit in developing the Seaboard Air Line Railway, numerous street car lines, and various financial and industrial institutions. Their embarrassment has come through the abnormal depression in the price of securities and the stringency in the money market, and it is stated that their assets far exceed their liabilities. It is gratifying to be assured by Mr. John Skelton Williams that the embarrassment is only temporary, and that neither the Seaboard Air Line Railway nor any of the financial or other institutions with which they are associated in Richmond and elsewhere will be adversely affected by the temporary embarrassment of the two firms named.

The Richmond banks and trust companies were never before in their existence altogether so strong and prosperous as they are to-day. In a recent issue of The Times-Dispatch Mr. W. M. Habliston, president of the National Bank of Virginia, published a statement showing that on September 9th the banks had made a gain in four months of over \$1,200,000 in deposits, and over \$1,000,000 in cash. In 1890 the deposits of the Richmond banks and trust companies amounted to \$7,745,000; in 1891 they amounted to \$9,782,000, an increase of \$1,037,000 in seven years. But on September 9, 1903, the deposits amounted to \$23,070,000, an increase during the past six years of \$13,285,000, or twelve times as great as in the previous seven years. In thirteen years the deposits have increased over 135 per cent.

It is also gratifying to state that the increase in deposits during the past three years has been steady. On September 5, 1890, the deposits were \$15,210,000; on September 30, 1901, \$17,000,000; on September 15, 1902, \$19,945,000; on September 9, 1903, \$21,570,000, and including two trust companies, were \$23,070,000.

It will be seen from this that there has been a steady increase of about \$2,000,000 a year during the past three years. This is all the more gratifying when the showing is compared with the banks of New York, which have shown a falling off in deposits and an increase in loans and discounts. From May 10, 1902, to September 19, 1903, the New York banks increased their loans and deposits \$21,000,000, and decreased their deposits about \$1,600,000. During the same period Richmond increased its loans about \$1,700,000 and its deposits nearly \$3,000,000.

This statement speaks for itself, and shows our banks and trust companies to be in a thoroughly healthy condition and abundantly able to take care of themselves and their depositors and customers.

## A DEFECTIVE LAW.

It is said that the Legislature, at its next session will be asked to change the phraseology of the Barksdale pure elections law so as to clear up alleged ambiguities. This should by all means be done. The meaning of the law is plain enough, but technically, some of the provisions as they relate to primaries are not clear.

For example, it is distinctly stated that no candidate for office in a regular election, or in a primary election shall use money to influence voters, and it is further provided that every candidate before a regular or primary election shall file a sworn certificate of his expenses.

But in the case of candidates before a primary, it is not clear with whom such certificates shall be filed. The language is: "Every person who shall be a candidate before any caucus or convention, or at any primary election for any State, county, city, township, district or municipal office, or for senator or member of the House of Delegates of Virginia, or for senator or representative in Congress

shall, within thirty days after the election, caucus, convention or primary election held to fill such office or place, make out and file with the officer or board empowered by law to issue certificates of election to such office or place, and a duplicate thereof with the clerk of the County or Corporation Court for any county or city in which such candidate resides, a statement in writing, which statement and duplicate shall be subscribed and sworn to by such candidate before an officer authorized to administer oaths, setting forth in detail all sums of money contributed,

disbursed, expended or promised by him," etc.

It will be seen from this that conventions and primaries are unfortunately compared with regular elections. Men are not elected to office in conventions and primaries. Candidates go before conventions and primaries to seek the party NOMINATION for an office, but the successful candidate or candidates before the convention or primary must afterwards go before a regular election to be elected to office. Nor is there any "officer or board empowered by law to issue certificates of election" to candidates before a caucus, or convention or primary, for, as already pointed out, such candidates are then not seeking an office, but a nomination only.

Clearly, the law should be so amended as to provide specifically and without confusion for conventions and primaries on the one hand, and for regular elections on the other. It seems to us that there should be separate and distinct clauses for each, conventions and primaries in one clause and regular elections in the other.

The same confusion appears in section 4, where it is provided that "no officer or board authorized by law to issue certificates of election shall issue any such certificate or commission to any such person until such statement and oath shall have been so made, verified and filed by such person with said officer."

The question may be raised as to whether or not this provision applies to the nominees of conventions or primaries. We speak of the general law. Special provisions may be made in special legalized primaries for any city or county.

Again, in section 5, which makes provision for the penalty for failure to make such statement, the question may be raised as to whether or not it applies to nominees, and so also in section 5, which says: "In any contest over the election of any officer in this Commonwealth, if it be alleged in the notice of contest of the contestant, that the provisions, or any of them, of this act have been violated by the contestee, or by his friends and adherents, with his knowledge and consent, and it so appears upon the trial of such contest, then said election shall be declared null and void and of no effect, unless it also appears that the contestant is entitled to the office for which he is contesting."

This is perhaps the most faulty of all the provisions, for it cannot be made to apply to conventions and primaries except by inference.

Let the law be re-written and made so clear that it cannot be misunderstood. Let the exceptions be made specific and unmistakable and the penalty sure.

## VAN WORMER BROTHERS.

The execution (in the electric chair) yesterday of the three Van Wormer "boys" at the prison near Danmore, N. Y., was an extraordinary, but not an unparalleled event in the Empire State.

In 1825, in Erie county, three brothers, Nelson, were hanged for murdering a peddler. Murder, most foul and cruel, was the crime of the Van Wormers also, and the victim was their uncle. They went to his house masked, and together with one Harvey Bruce (who was given a sentence of imprisonment), riddled the old man with bullets. His wife, Mrs. Halenback, ran into the kitchen and then upstairs. She, too, was shot at, but escaped unhurt.

The murderers were tracked through the snow and were arrested. Bruce turned State's evidence. It was shown on the trial that the motive of the murderers was revenge, on account of money matters, but the "boys"—young men, rather—were already the terror of the neighborhood, so lawless and brutal were they.

Great pressure was brought upon Governor Odell to interfere with the sentence of the court, but, seeing his duty clearly, he would not. He was subjected to a terrible ordeal in hearing the pleadings of relatives and friends and sentimental strangers, but he stood out firmly. And so the law was vindicated and other evildoers warned! So far seventy-three murderers have died in the electric chair, and others are on their way thither.

For Governor Odell, most right thinking people applaud him for withholding executive clemency where it seems to have been in nowise deserved.

## WAR-TIME AURORA.

In Major Stiles' book, descriptive of his four years' soldiering with "Marse Bob" Lee, mention is made of the aurora borealis seen by the two armies at Fredericksburg on the night following that bloody battle—December 13, 1862.

An old friend of ours, who was here in Richmond at that time, says he, who remembers that brilliant heavenly display, though at first he was deceived as to what it was. He knew there had been heavy fighting at Fredericksburg that day, and when he first saw those great lights in the northern sky he imagined that that town was burning up. A few minutes later, however, seeing the spread of the aurora, he recognized it for the thing it was.

We wonder how many other persons now resident in this city recollect seeing that aurora?

## THE REASON WHY.

It is charged—or insinuated, at least—that through hostility to the President and because of his speeches a year ago, the Wall Street kings either have brought the present slump upon the stock market, or if they did not do that, have refused to extend their help in restoring it to a better condition.

To our mind such an idea is preposterous. We dare say the Napoleons of finance do not love the President, but it is incredible that they should be willing to life off their noses to spite their faces. Some of them may have wished to depreciate certain stocks, but that they desired to tumble the whole market is not to be believed.

We may safely assume that no sane man would be willing to sacrifice a million or more merely to worry the President. That he is worried we are sure.

He would be a very dull and unfeeling man in his position if he were not. But we take it that he stands ready to do his utmost to give ease to the money market and to secure reform in the currency laws. Doubtless he is vexed, but he cannot control the leaders of his party in Congress on the latter subject.

Almost every reason that can actuate a man of affairs must make the President wish to see present conditions bettered. No matter whether his purposes be purely patriotic or purely selfish—either way—the objective point is the same. And so, too, it must be with most of the great moneyed men of the country. The trouble, we apprehend, is to secure concert of action. There's the rub.

## AMERICAN APPLES.

A special from New York says that all records for the exportation of American apples to Europe, Germany, France and the United Kingdom are being broken. A total of 5,000 barrels, or sufficient to fill about 400 ordinary box railroad cars, will go out this week. There has not been so much demand for American apples as at present.

Every big liner is taking away immense loads of apples from this State and Virginia. The Teutonic, to leave to-morrow, will take 12,000 barrels, and the Arable, on Friday, will have 15,000. The Oceanic took away 18,000 and the Cymric 12,000. In Germany the better grade of American apples is selling at \$6.50 per barrel.

American apples, like everything else of American growth and manufacture, are gaining all the time in popularity abroad. And Virginia apples take the lead.

The Fusion leaders of New York city have sent an ultimatum to Comptroller Grout demanding that he shall come out unequivocally against Tammany and agree to make a vigorous campaign for Mayor Low and the Fusion cause. Their attitude towards Charles V. Fones, president of the Board of Aldermen, is similar. They do not wish to have upon their ticket any men who are candidates of Tammany Hall also.

It would seem that these two troublesome fellows will now have to get off the Fusionist ticket and go to Tammany. All this appears to be hurtful to Mr. Low's cause.

Fort Monroe is on a peninsula of the Virginia peninsula, but it is now proposed to cut a canal across the strip of land and that will make the reservation an island. In part to effect this purpose, forty lots lying between the fort and Buckroe Beach have been purchased by the government.

The new game law of Maine, which has just gone into effect, imposes a tax of fifteen dollars on each non-resident hunter. All furs collected will be expended in the protection of moose and deer, provided, however, that farmers who can show that they have sustained actual damage from deer are first compensated.

Several religious papers in the North have made inquiry into the somewhat popular belief that ministers' children are worse than the children of other men. They find that there is no foundation for such an impression; indeed, the Baltimore American, summarizing the investigation, says "if there is any difference it is in favor of the ministers' children, because more care is given to their education by their parents."

Mr. Schwab, late president of the Steel Trust, has determined to endow a number of technical schools, and it might be well for the managers of the Richmond Mechanics' Institute to form his acquaintance.

"The October sun," which was so heartily approved by Daniel Webster in a speech made in Richmond some fifty odd years ago was in evidence yesterday, and was fully up to the ante-bellum standard.

German sentiment in Virginia is trying very hard to get strong enough to hold up under any early frosts that may be wrapped in the blankets of the near future.

The Tillman trial in South Carolina will drag along over a lot of ground that has already been covered by the newspapers, and will, therefore, be boring to the up-to-date reader.

Sir Thomas Lipton is to get a loving cup anyhow, and it will have three handles, one for each of the Shamrocks, perhaps.

Secretary Moody has undertaken a big job in issuing the pre-emptory order that hazing must be stopped at the Naval Academy.

Duck shooting season comes so close upon the heels of fish biting it seems next to impossible to get that man Cleveland interested in a presidential boom.

Up to the present writing it looks as if there is some uncertainty as to Boston's winter dates, and the small boy is still banking on Barnum and Bailey.

The Sultan of Turkey would be right in the swim if he could get up a kind of Prophet Dowry barrel collection enthusiasm.

In spite of Wall Street there seems to be enough prosperity on hand to take us through the anthracite coal season, anyhow.

Jack Frost can do more in the way of exterminating the festive mosquito than all the scientists.

Have your picture taken and you may lose a daughter or gain a son-in-law, as circumstances may decree.

The ice wagon will also go into winter quarters and give place to the coal cart.

Chesterfield pessimists have a pucker on awaiting the relaxing effects of a patiently waited for frost.

The hillsides of old Virginia have on their fall costume and they have never looked lovelier since last autumn.

Trend of Thought  
In Dixie Land

Nashville News: Morgan's big gambling game, under whose operation has been built up a fictitious industrial structure, a lottery and must inevitably go to pieces. The end may not be in sight, but it must ultimately come, and those who stand with him will be caught in the crash.

Columbia State: It is reported that the President is coming South this winter; it is not rumored that Charleston has sent a special committee to urge his presence in that historic city. It might not be of place, however, if Dr. Crum was delegated to convey a verbal invitation on behalf of those clustered about the exterior of the door of hope.

Spartanburg Herald: The President proposes traveling South to let us know we have no hard feelings towards him.

Florida Times-Union: Our government seriously objects to the delays attending the investigations of the Turkish officials into the disorders and malpractices. Perhaps, we might have more patience did we not have investigations of our own equally unsatisfactory.

Houston (Texas) Post: Senator Hanna will not enter any of the approaching election. He is unfamiliar with joints, but he knows a good chance to stand pat when he sees it. Silence is golden, and Hanna is a goldbug.

## A Few Foreign Facts.

Owing to the Berlin hansom having India rubber tires, complaints have been made of danger to the motor, and they have now been supplied with bells.

The Bagh-Bazouk shaves his head except a tuft at the crown, which is to be used by the angel to jerk him to Paradise if he should be slain by his intended victim.

The latest statistical estimates for the German Empire place the population at 68,630,000. From these figures it appears that the population has increased 1.46 per cent. in the last year.

A new occupation is opening for tramps in England. They station themselves near a police trap and catch approaching motorists of danger, and as a result are rewarded with donations of small pieces of money.

The yearly expenses of the Sultan of Turkey have been estimated at \$30,000,000. Of this \$7,500,000 alone is spent on the clothes of the sultan and \$400,000 on the Sultan's own wardrobe. Nearly another \$1,500,000 is swallowed up by the presents, \$5,000,000 goes for his harem, and still another \$5,000,000 for the table.

There is conclusive evidence to show that in the South nocturnal flight the European bird, known as the northern bluebird, passes from Central Africa to the German sea, a journey of 1,600 miles, in the journey in nine hours. From its winter home in Africa observations have determined that it starts after the first of January, and that it arrives in the North before dawn on the next morning.

North Carolina Sentiment. This is good reasoning from the Charlotte Observer:

Conditions have been generally improving in the last decade; the commercial conditions have been very much improved. Money is more plentiful, interest rates are lower, and other conditions are better. The farmer ought to benefit along with the rest of the people, and this benefit should be made to him by the State. The farmer ought to be able to get the best price for his product, and the State should see to it that he does. The State should see to it that the farmer is not oppressed by the moneyed class, and that he is able to get the best price for his product.

The Durham Herald makes this sly dig:

As none of the prohibitionists have been boycotted by the saloons in this town we take it that they have the chance, out it possible while they have the chance.

The Winston Journal says: Hobson is reported to be afraid that the people of Alabama will not take his congressional campaign any more seriously than they have his engagement rumors.

The Wilmington Messenger says: We are told that the South is in danger of being depopulated. The Teachers' College of Columbia University is going to come to our rescue. It has bought an acre of ground on One Hundred and Twenty-first Street, in New York, to inaugurate a new study of the salvation of the South. Now, we suppose our section of the country is safe against the threatened depopulation.

## Personal and General.

James T. Bailey, of the Barnum and Bailey circus, will erect a \$150,000 mansion and a \$40,000 stable at Mt. Vernon, N. Y.

A new novel, called "The Curse of Caste," written by N. J. W. Leato, is dedicated to President Roosevelt, and is quoted him verbatim on the color question.

James H. Canfield, a librarian of Columbia University, is delivering a course of seven lectures this autumn before the students of the University of Virginia, and is the first civilian to give a regular instructional course of lectures at the National Military Academy.

A collection of paintings, valued at more than \$50,000, and a collection of trinkets and souvenirs gathered during the two years of the war in the East, were destroyed on Saturday last by a fire in the studio of J. Ambrose Prichard, an artist of Boston.

Samuel Williams, of Purcell, president of a bank there, probably has right to the claim of being the king of Indian Territory. He has probably been more successful than any other farmer in the Territory. He has had as many as 20,000 acres of this crop in a single year.

**C. & O.**  
EVERY DAY OUTINGS  
TRAINS—2—TRAINS.  
ROUND \$1.00 TRIP TO  
Norfolk and Seashore.

Two fast trains with parlor cars leave Richmond every Sunday 8:30 and 9 A. M. 8:30 train makes direct trip to Norfolk via Ocean View. Leaving 8:30 P. M. arrive Norfolk via Ocean View 8:30 P. M. Leave Old Point 8:15 P. M. Arrive Richmond 10:15 P. M. Tickets also good on trains leaving Old Point 4:55 P. M. Newport News 6:25 P. M. arriving Richmond 7 P. M.

Henry and Virginia Beach, \$1.25 round trip.

This is the most beautiful season of the year to visit the seashore.

THE STATE  
COMMITTEE

Brauer Case the One of Absorbing Interest.

MATTER OF JURISDICTION

That Question to Be Raised in the Outset—Committee is Likely to Decline to Go into Case—A Matter for the Courts.

By far the most interesting matter that will come before the Democratic State Central Committee at the meeting to be held to-day at noon at Murphy's Hotel will be the Henrico contest for the treasurer'ship, growing out of the refusal of the County Democratic Committee to declare Mr. W. H. Brauer the nominee. There are half a dozen other contests, chiefly over nominations for the House of Delegates under the State primary plan, or the provisions thereof in regard to declaring nominees.

The members of the committee have begun to arrive already, and many more will probably be present to-day when Chairman Eliason raps the body to order. Among those in the city already are Messrs. Joseph Button, J. P. Barksdale, D. Q. Eggleston, Major George M. Helms and the Richmond and Henrico members. A number of the regular attendants upon State Committee meetings will reach the city to-day, but there are a number of members who have never attended a meeting of the committee. On the whole, it seems probable that the attendance will be smaller than was hoped. If there are thirty members of the committee actually present it will be beyond present expectations.

THE CONTESTS. Here is a list of the contests of which the committee has been officially notified, but in this connection it may be added that such formal notice is not required, and other contests may be brought up at any time to-day.

William Garth vs. N. C. McGee. Involving the nomination for treasurer of Albemarle county, the County Committee having declared Mr. McGee the nominee. The case of Brauer vs. the County Democratic Committee of Henrico, involving the party nomination for treasurer of Henrico county, the County Committee having refused to declare Mr. Brauer the nominee, although the face of the returns showed him to be.

R. Moss, involving the nomination for the House of Delegates from Buckingham. Mr. Bondurant has filed with the chairman of the State Committee a formal notice of contest.

The case of A. J. Taylor vs. A. E. Gray, involving the nomination for the House of Delegates from Fluvanna and Goochland counties. A record of 247 or more pages of typewritten matter has been filed with the committee by Mr. Taylor, the contestant. Several notices have been filed with the chairman he has been notified informally that Mr. William Bullitt Fitzhugh, of Cape Charles, will contest the nomination of Dr. Charles Smith, of Northampton, for the House of Delegates. The further details of Fitzhugh's intentions it may be stated that he is now in the city to press his claims.

Two of these contested cases involve the nomination for treasurer of counties, and the other three the nomination for the House of Delegates. As stated, other contests may be precipitated at the committee meeting to-day. Some very interesting questions are involved in all these contests and the conditions vary in various respects, so that each will have to be decided on its merits, no one decision being in the nature of a precedent for others. Several of the more important questions of construction of the party plan of primary.

Chairman Eliason stated last night that the committee would probably hold an executive session immediately upon convening, and would then decide whether the various contests would be heard and decided in the open session or in executive session. It is considered probable that all the actual proceedings will be in open session.

## ABSORBING INTEREST.

The Henrico case is of absorbing interest in this city and county, and promises to claim a large share of the committee's attention if it is actually gone into in detail. The question of the jurisdiction of the State Committee, a body having no legal authority or powers, but merely a party tribunal, will almost certainly be raised. The opinion is expressed by men well informed as to procedure in such cases that the State Central Committee will probably decline to go into the Brauer-Todd-Hocher case, unless the appellant from the County Committee's action agrees beforehand to abide the decision of the State Committee, whatever it be.

The provisions of the special statute legalizing the Henrico primaries will figure materially in the action of the committee, if the case is gone into. Chairman Eliason is not familiar with the details of this special act, nor does any one interested seem to have a copy of the law. A vital question, it would seem, is whether or not that special primary law, passed at the session of 1905-06, and amended by the subsequent General Assembly, confers authority upon the county committee in such cases as that of Brauer. If so, how much authority. Is the Henrico committee a body clothed with certain powers by statute, or is it a mere party tribunal vested with no powers by statute? That is the question.

It is further provided in clause 10 of section 2153 of the Code, as amended by acts 1895-96, page 334, that if any person, other than a member of the State, shall take or catch crabs, oysters or other shell fish in any waters of the State, or rent any oyster-planting ground or plant oysters in any of the waters of the State, he shall be deemed guilty of a felony.

"It appears upon the face of this certificate that the object of this present incorporation is to enable, under the provisions of a corporation, the association of residents and non-residents to take place for the prosecution of a business declared by the statutes, already cited, to be unlawful. We do not see how we can declare that this association of persons is for the transaction of a lawful business, for the promotion or conduct a legitimate object or purpose, when the very business and the very object and purpose declared upon the face of the certificate is made the subject of criminal prosecution under the statutes above referred to. We are, therefore, of opinion that we are constrained to refuse to issue the order for incorporation upon this certificate."

Killed by a Switch Engine. (Special to The Times-Dispatch.)

BRISTOL, TENN., October 1.—Henry Stegall, forty years of age, a man of family, employed by the Columbia Gas Company here, was run down by a switch engine on a trestle in Bristol to-day and cut to pieces. Death resulted. A horse, Stegall's, was injured.



The most delightful beverage. Aids Digestion, Relieves Mental and Physical Exhaustion. The Ideal Brain Tonic and Specific for Headache. Does not effect the Nerves. 5c at All Soda Fountains.

first issue to be decided in the case. The decision of that depends upon the language of the statute, taken in connection with the general law, known as the Barksdale election law. If the Henrico committee be clothed by statute with ample authority to decide cases like this treasurer'ship contest, then appeal would not lie therefrom to the State Supreme Court, which is not even a quasi legal tribunal, but merely a party affair, but to the courts, to which, in event final appeal must be made—unless Mr. Brauer agrees to abide the State committee's decision. It is the opinion of the party, which is not even a quasi legal tribunal, but merely a party affair, but to the courts, to which, in event final appeal must be made—unless Mr. Brauer agrees to abide the State committee's decision. It is the opinion of the party, which is not even a quasi legal tribunal, but merely a party affair, but to the courts, to which, in event final appeal must be made—unless Mr. Brauer agrees to abide the State committee's decision.

THE BARKSDALE LAW. The Barksdale law, while ostensibly applicable to primaries and conventions, as well as to regular elections, does not provide specifically nor with sufficient clearness to any other than regular elections. The references as to the application of the law are to the Henrico contest, but there is no such general primary plan provided it would not be difficult to make a pure election applicable, but there is no such general primary statute. The law prescribes penalties which a party tribunal could not, by any possibility enforce, it would seem, being penal in its provisions. The appeal to the State committee will be withdrawn. If not, and Mr. Brauer agrees to let the State committee's decision be final, it may be gone into by that body. Otherwise not.

LAWYERS ON HAND. The merits of the contests in the other cases are not known. There are lawyers here to represent contestants and contestees in various cases. The contest will arrive this morning. In the Albemarle treasurer's case, Messrs. J. W. Fishburne, Daniel Harmon will represent Mr. McGee, the contestee, while Mr. Garth, the contestant will be represented by Judge B. W. Byrd. In the case of George Perkins and Burnley Sinclair, all of Albemarle. This case will be hard fought, involving a construction of the State primary plan.

Little is known of the other contests, but the parties thereto will be present and in most cases will be accompanied by counsel. The meeting of the State Central and Executive Committees is really called the meeting of the party, and the condition of the party in the various counties and districts, the outlook for Democratic success in the coming general election and to make preparations for the campaign. The State primary and executive committees will be formed. The Central Committee, further than that certain phases of it must be construed in the contested cases. Of course, there will be much talk on the outside of the meeting, but the real work will be done in the committee itself. The session of the committee promises to continue until late in the afternoon.

NO OYSTERS FOR  
NON-RESIDENTS

Why the Corporation Commission Did Not Grant a Charter.

The State Corporation Commission has rendered perhaps the most important opinion it has yet given, it being in effect that no charter can be granted to non-residents to take and catch or cultivate oysters in this State. The question came up in the application by certain Marylanders for a charter to plant oyster lands and take oysters in the waters of this State.

The commission bases its action in refusing the application for charter upon the statute which forbids non-residents from taking, catching or planting oysters in this State, under penalty for violation. No attempt is made to pass upon the validity or constitutionality of such statutes. The commission merely recognizes their existence, and deems that to grant the charter asked would be in effect to countenance and permit a violation of them. In the opinion the commission says:

Upon examination of the certificate, it appears that the object of the proposed corporation is to deal in oysters generally, embracing the leasing of oyster grounds or bottoms from the State, or from private owners, and the purchase of oysters from others who had heretofore leased from the State, and generally engaging in all matters necessary for the proper transaction of such business. The directors named in the certificate are non-residents of the State, and it appears from the notarial certificates that two of the five persons signing and acknowledging the certificate, four are non-residents of the State. It is provided in section 2149 of the Code of Virginia, that if any citizen of this State be concerned or interested with any person not a resident thereof, in taking, catching or planting oysters therein, or in leasing oyster lands, or in the purchase of oysters therein in his name, he shall be fined \$500. It is further provided in clause 10 of section 2153 of the Code, as amended by acts 1895-96, page 334, that if any person, other than a member of the State, shall take or catch crabs, oysters or other shell fish in any waters of the State, or rent any oyster-planting ground or plant oysters in any of the waters of the State, he shall be deemed guilty of a felony.

"It appears upon the face of this certificate that the object of this present incorporation is to enable, under the provisions of a corporation, the association of residents and non-residents to take place for the prosecution of a business declared by the statutes, already cited, to be unlawful. We do not see how we can declare that this association of persons is for the transaction of a lawful business, for the promotion or conduct a legitimate object or purpose, when the very business and the very object and purpose declared upon the face of the certificate is made the subject of criminal prosecution under the statutes above referred to. We are, therefore, of